

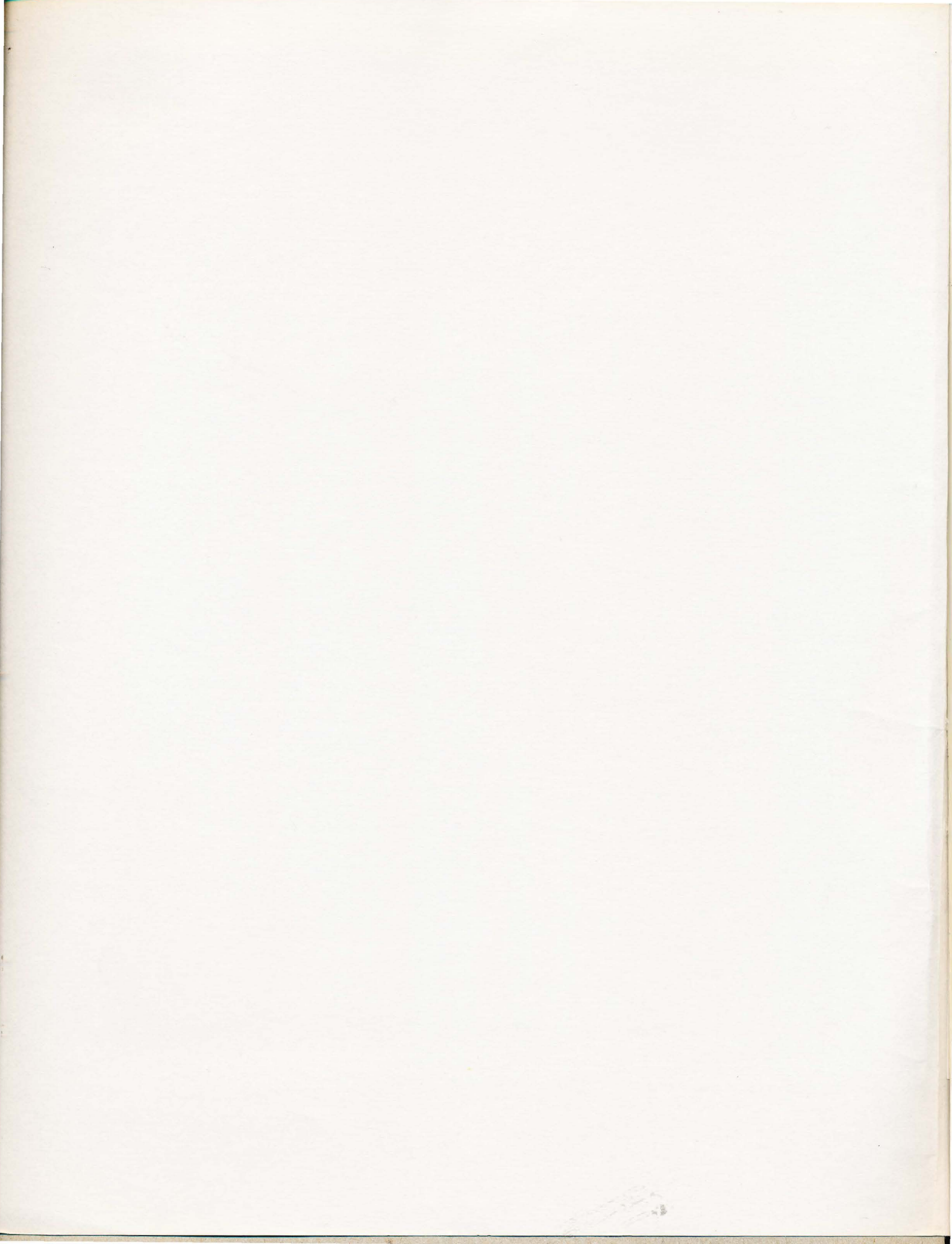
Bomb Damage Analysis Of
Alfred P. Murrah Federal Building
Oklahoma City, Oklahoma

July 30, 1995

by

Benton K. Partin
Brigadier Gen. USAF (Ret.)

8908 Captains Row
Alexandria, Virginia 22308
703-780-7652



INFO
COPY

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July 30, 1995

Sen. Trent Lott
United States Senate
487 Senate Russell Office Building
Washington, DC 20510-2403

Dear Sen. Lott:

The attached report contains conclusive proof that the bombing of the Alfred P. Murrah Federal Building, Oklahoma City, Oklahoma, was not caused solely by the truck bomb. Evidence shows that the massive destruction was primarily the result of four demolition charges placed at critical structural points at the third floor level.

Weapons Experience: I do not offer such an analytical conclusion lightly. I have spent 25 years in research, design, development, test and management of weapons development. This included: hands-on work at the Ballistic Research Laboratories; Commander of the Air Force Armament Technology Laboratory, and ultimately management responsibility for almost every non-nuclear weapon device in the Air Force (at the Air Force System command, Air Staff and the Office of the Secretary of Defense (OSD) levels). I was also the first chairman of the OSD joint service Air Munitions Requirements and Development Committee. (A more detailed resume appears at Tab 1.)

Observations in Oklahoma City: To verify earlier analysis, I visited Oklahoma City during the last week of June. There I had the opportunity to view hundreds of photographs taken throughout the cleanup operation as the layers of debris were cleared away. The photos present irrefutable evidence that at least four demolition charges were set off at four critical columns of the reinforced concrete structure at the floor level of the third floor.

Conclusion: Based on my experience in weapons development and bomb damage analysis, and on my review of all evidence available, I can say, with a high level of confidence, that the damage pattern on the reinforced concrete superstructure could not possibly have been attained from the single truck bomb. The total incompatibility of this pattern of destruction with a single truck bomb lies in the simple,

incontrovertible fact that some of the columns collapsed that should not have collapsed if the damage were caused solely by a truck bomb, and, conversely, some of the columns were left standing that should have collapsed if the damage had been caused solely by the truck bomb.

It is my hope and request that, as a Member of Congress, you will support a Congressional investigation to determine the true initiators of this bombing, which could not have occurred the way in which it has been portrayed as having happened. Further, it is requested that you defer action and reserve judgment on so-called anti-terrorism legislation that has serious civil liberties implications, and which would not be passed except for the Oklahoma City bombing until the causes of the Oklahoma City disaster are determined by independent investigators.

Both the Federal Building in Oklahoma and the Trade Center in New York (See New York Times, October 28, 1993, p. A1) show evidence of a counter-terrorism sting gone wrong.

No government law enforcement agency should be permitted to demolish, smash and bury evidence of a counter-terrorism sting operation, sabotage or terrorist attack without a thorough examination by an independent, technically competent agency.

If an aircraft crashed because of a bomb, or a counter-terrorism sting or an FAA Controller error, the FAA would not be permitted to gather and bury the evidence. The National Safety Transportation Board would have been called in to conduct an investigation and where possible every piece of debris would have been collected and arrayed to determine cause of failure.

To remove all ambiguity with respect to the use of supplementary demolition charges, the FBI should be required to release the high quality surveillance color TV camera tape of the Murrah building bombing on April 19, 1995.

It is my observation that the effort required to bomb the A. P. Murrah Federal Building in Oklahoma City pales in comparison with the effort to cover up evidence in Oklahoma and the media's withholding of vital information from the American people.

Sincerely yours,



Benton K. Partin
Brigadier Gen. USAF (Ret.)

BKP:aw
Enclosure

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Oklahoma City, Oklahoma

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— Corroboration Assessment by Sam Gronning

Bomb Damage Analysis Of Alfred P. Murrah Federal Building Oklahoma City, Oklahoma

On April 19, 1995, the Alfred P. Murrah Federal Building, Oklahoma City, Oklahoma was bombed, causing extensive damage to the structure, the loss of 168 innocent lives, the victimization of the families of those who lost loved ones, hundreds of non-fatal injuries, and substantial property damage in the vicinity.

The media and the Executive branch reported that the sole source of the devastation was a single truck bomb consisting of 4,800 pounds of ammonium nitrate, transported to the location in a Ryder Truck and parked in front of the building. It is impossible that the destruction to the building could have resulted from such a bomb alone.

To cause the damage pattern that occurred to the Murrah building, there would have to have been demolition charges at several supporting column bases, at locations not accessible from the street, to supplement the truck bomb damage. Indeed, a careful examination of photographs showing the collapsed column bases reveals a failure mode produced by demolition charges and not by a blast from the truck bomb.

To understand what caused the damage to the Murrah Building, one needs to understand some basics about the use and nature of explosives.

First, blast through air is a very inefficient energy coupling mechanism against heavily reinforced concrete beams and columns.

Second, blast damage potential initially falls off more rapidly than an inverse function of the distance cubed. That is why in conventional weapons development, one seeks accuracy over yield for hard targets. That is also why in the World Trade Center bombing (where the only source of blast damage was a truck bomb) the column in the middle of the bombed-out cavity was relatively untouched, although reinforced concrete floors were completely stripped away for several floors above and below the point of the bomb's detonation (see *Time Magazine*, 3-8-93, page 35).

By contrast, heavily reinforced concrete structures can be destroyed effectively through detonation of explosives in contact with the reinforced concrete beams and

columns. For example, the entire building remains in Oklahoma City were collapsed with 100-plus relatively small charges inserted into drilled holes in the columns. The total weight of all charges was on the order of 200 pounds.

The detonation wave pressure (1,000,000 to 1,500,000 pounds per square inch) from a high detonation velocity contact explosive sweeps into the column as a wave of compressive deformation. Since the pressure in the wave of deformation far exceeds the yield strength of the concrete (about 3,500 pounds per square inch) by a factor of approximately 300, the concrete is turned into granular sand and dust until the wave dissipates to below the yield strength of the concrete. This leaves a relatively smooth but granular surface, with protruding, bare reinforcement rods—a distinctive signature of damage by contact explosives. The effect of the contact explosive on the reinforcement rods themselves can only be seen under microscopic metallurgical examination. (The rods are inertially confined during the explosion and survive basically in tact because of their much higher yield strength and plasticity.)

When a reinforced concrete structure is damaged through air shock coupling and the pressure is below the compressive yield strength of the concrete, the failure mode is generally compressive structural fracture on one side and tensile fracture on the other—both characterized by cracks and rough fracture surfaces. Such a surface texture is very different from the relatively smooth granular surface resulting from contact explosives.

Analysis of Graphic Evidence

Tab 2 is a cross section view of the building looking from the west. The very large header or cross beam is shown at the north edge of the third floor. A large but smaller header is seen at the recessed north edge of the second floor with a brace beam extending out to the large columns in Row A. The front of the whole building is glass.

Tab 3 shows the architectural layout of the first floor of the Murrah Building and the location of the truck bomb with superimposed circles of roughly equal levels of damage potential. The explosive force drops rapidly (initially proportional to one over the distance cubed) as the shock front travels farther and farther away from the truck bomb. After the release wave, the shock front will propagate proportional to one over the distance squared.

The maximum possible yield from 4800 pounds of ammonium nitrate would be obtained if it were in a compressed sphere and detonated from the center. That would produce a 4.4 foot diameter sphere of detonation products at about 500,000 pounds per

square inch. By the time the blast wave hits the closest column, the pressure would have fallen off to about 375 pounds per square inch. That would be far below the 3500 pound compressive yield strength of the concrete. Any column or beam failure from the truck bomb would therefore have been from blast wave structural loading and not from any wave of deformation in the concrete.

The basic building structure consists of three rows of columns (35 feet apart) with eleven columns in each row (20 feet apart). The four corner columns have an external clamshell-like structure for air ducts, etc. If we label the column rows A, B, and C from front to back, and number the columns 1 through 11 from left to right, then columns A₂, A₃, A₄, A₅, A₆, A₇, A₈, and B₃ collapsed, essentially vertically. Tab 2 shows a very large reinforced concrete header at the floor level of the third floor of column row A. Much larger columns extend from the header down for the odd-numbered columns, *i.e.*, A₃, A₅, A₇, and A₉. The even- and odd-numbered columns extended from the top of the building down to the header. The foundation of the building is a heavy, reinforced concrete slab with no sub-levels.

From the potential damage contours on Tab 3, and assuming the single truck bomb, the pressure and impulse for collapsed columns B₄, B₅ and A₇ are all in the 25 to 35 pounds per square inch region. However, the much smaller and closer columns, B₄ and B₅, are still standing, while the much larger column A₇ is down. Column B₃ is down with 42 percent less pressure and impulse than columns B₄. These facts are sufficient reason to know that columns B₃ and A₇ had demolition charges on them. Moreover, there is not sufficient blast impulse at that range to collapse any of the three. In fact, columns B₂, B₄ and B₅ all have the sheet rock and furring strip finish still intact on the second and third floors except where damaged by falling debris.

The large header across the front of the building at the third floor of Row A was not blown back into the building as one may expect from such a large bomb. The header came straight down but rolled backward 90 degrees because the columns above the header rested off center toward the back.

Analysis of Photographic Evidence

A careful examination of photos showing the "A" row columns and the large header from the third floor reveals absolutely no air blast shock wave fracture, which is consistent with the pressure fall-off with distance from the truck bomb. The cleaned-up building structure (Tab 4) shows that the failure line across the roof goes all the way to the

ground except around columns B4 and B5 at the second and third floor levels. Reinforcement rods stripped out of beams and floors extend straight down on all floors. Columns A3, A5, A7, and B3 collapsed straight down as the apparent result of demolition charges at the column juncture with the third floor for column B3 and with the third floor level header for columns A3, A5, and A7. The even numbered columns (A2, A4, A6, and A8) in Row A collapsed straight down because they were supported at the third floor by the header, which necessarily failed with the demolition of its conjunctions with columns A3, A5, and A7. When columns A2 through A8 collapsed straight down, the roof and floor fracture lines at all floors acted as an instant hinge line, which would have given all floors collapsing down a slight tug toward column row B. Because of the collapse of column B3, the floors were cropped closer to the north side of columns B4, B5, which resulted in damage by falling debris to sheet rock on columns B4 and B5 at the third floor level.

The so-called "pit" area behind columns B4 and B5 was caused either by the blast from the truck bomb pushing out the ceilings of the first and second floors or from the demolition charge on column B3. From the third floor it would look like a "pit" into which much debris fell. The blast pressure in this area would have been sufficient to exceed the ultimate yield design strength of the floor. There were large areas at this pressure being held only by the floor-thick, reinforced concrete around the 20-inch reinforced concrete columns in the B row. The floor of the first floor could not be blown downward, because it was a heavy concrete slab on compacted earth. The ceilings of the first and second floors nearer the truck between the A and B column rows could also have been blown upward initially.

Although the truck bomb had insufficient power to destroy columns, the bomb was clearly responsible for ripping out some floors at the second and third floor levels.

Photographic Evidence of Demolition Charges

Turning next to the demolition charges in the building, refer to the picture at Tab 5. Here you see column A9 with no spalling as one would expect with the blast pressures involved and the decorative indents are unmarred. Note also the grooves at the top of the column and across the header. When the demolition charge on column A7 went off, the charge instantly left a 40 foot cantilevered header supporting column A8. Cascading columns and beams from above probably snapped off the end with a clear structural fracture, including rugged cracks and rough surfaces. There is a large unseen beam extending from behind the column, between the decorative grooves, back to the first floor header. This beam adds considerable rigidity to the lower odd-numbered columns in Row A.

Turning next to Tab 6, the stub of column B3 has been cleared, showing the bare reinforcement rods at the third floor level. The large header from the third floor level has fallen almost straight down with what appears to be demolition charge damage clearly evident to the right of column A3. The exposed reinforcement rods are clearly seen at the header end to the right of column A3. It appears that the demolition charge pulverized the header and columns out to about two feet from the juncture. Column A3 is standing there with the clean reinforcement rods clearly extended. Also, the architectural decorative band is clearly evident without blemish (indicating no blast damage in excess of yield strength). In this picture, the failure of the header at column A5 is still covered with rubble, and is not visible. However, the discontinuity in the slope of the header on either side of the column A5 location clearly shows that it failed in the region of its juncture with column A5.

Tab 7 shows the localized damage to the header at the position of column A5, the closest column to the truck bomb crater. The end of the beam on which the men are standing shows evidence of a demolition charge at its juncture with column A5. Several feet of the beam juncture appear to have been pulverized away by a demolition charge and the ends jammed together in the collapse. The blast pressure from the truck bomb would have been in the 400 pounds per square inch region — a factor of 10 below the yield strength of concrete.

Tab 8 shows the localized demolition damage at the juncture of column A7 and the header. The same telltale demolition charge evidence is clear. The straight edge of the decorative groove at the juncture can be seen on both the column and the header.

In my discussions with the building architect, who was on the scene as an advisor throughout much of the cleanup, he told me that the residual building was structurally sound and that the Murrah Building could have been rebuilt. This is totally consistent with the collapse of columns with demolition charges because the inflicted structural damage is more localized.

Discussions above have been limited to the reinforced concrete structure of the Murrah Building. Reinforced concrete columns are hard targets for high-explosive bombs. Structures that have large areas for blast loading and low mass can be destroyed at considerable range from a large blast. That is why glass, plaster, and light structures were destroyed at considerable distance from the Murrah Building, but not reinforced concrete columns. Five pounds of blast pressure will flatten most frame houses.

Seismograph Readings

Much has been said about seismograph readings. Was there more than one explosion? Most people I talked to in Oklahoma City heard two explosions relatively close together. Some close by said they didn't even hear an explosion. That is not unreasonable, when you consider that getting walloped by an intense shock wave is about like being hit across the ear by a 2" x 4". One would expect the demolition charges to have had an electrical or primacord interconnect. If so, it would be difficult to separate them on a seismograph. If delays were used, they would be discrete. If a sensitivity switch was used inside the building, the explosions would have been distinct. Bomb initiations could have been easily designed to go off either simultaneously or with separation.

Conclusion

The Murrah Federal Building was not destroyed by one sole truck bomb. The major factor in its destruction appears to have been detonation of explosives carefully placed at four critical junctures on supporting columns within the building.

The only possible reinforced concrete structural failure solely attributable to the truck bomb was the stripping out of the ceilings of the first and second floors in the "pit" area behind columns B4 and B5. Even this may have been caused by a demolition charge at column B3.

It is truly unfortunate that a separate and independent bomb damage assessment was not made during the cleanup — before the building was demolished on May 23 and hundreds of truck loads of debris were hauled away, smashed down, and covered with dirt behind a security fence.

When the picture at Tab 4 was made, all evidence of demolition charges had been removed from the building site (i.e., the stubs of columns B3, A3, A5, A7 and the demolished junctures at the header with columns A3, A5 and A7).

All ambiguity with respect to the use of supplementing demolition charges and the type of truck used could be quickly resolved if the FBI were required to release the surveillance camera coverage of this terribly tragic event.

BENTON K. PARTIN
8908 Captains Row
Alexandria, Virginia 22308
(703) 780-7652

Biographical Notes

Thirty one years active duty in the Air Force. Progressively responsible executive, scientific and technical assignments directing organizations engaged in research, development, testing, analysis, requirements generation and acquisition management of weapons systems. Assignments from laboratory to the Office of the Secretary of Defense.

Personal contributions made in the fields of research and development management, weapon system concepts, guided weapons technology, target acquisition aids, focused energy weapons, operations research and joint service harmonization of requirements. Retired as a Brigadier General.

White House appointed Special Assistant to the Administrator, Federal Aviation Administration. Personally designated to prepare the White Paper on the Federal Aviation Administration for the 1989 Presidential Transition Team. This included development of policy initiatives on FAA/USAF joint use of the Global Positioning System (GPS), operational life for commercial aircraft, anti-terrorism, airport and airway capacity, requirements in the FAA acquisition process and FAA leadership and management development.

Military Command Pilot and Command Missleman with 4000 hours (37 combat.)

Education: B.S. Chemical Engineering; M.S. Aeronautical Engineering; Ph.D. Candidate, Operations Research & Statistics (Academics Completed.)

Publications/TV

Sino-Soviet Conflict, Competition and Cooperation:
Risks in Force Structure Planning.
A Reduced Upper Limit for Sequential Test Truncation Error.
Frequent TV Talk Shows on the Voice of Freedom.

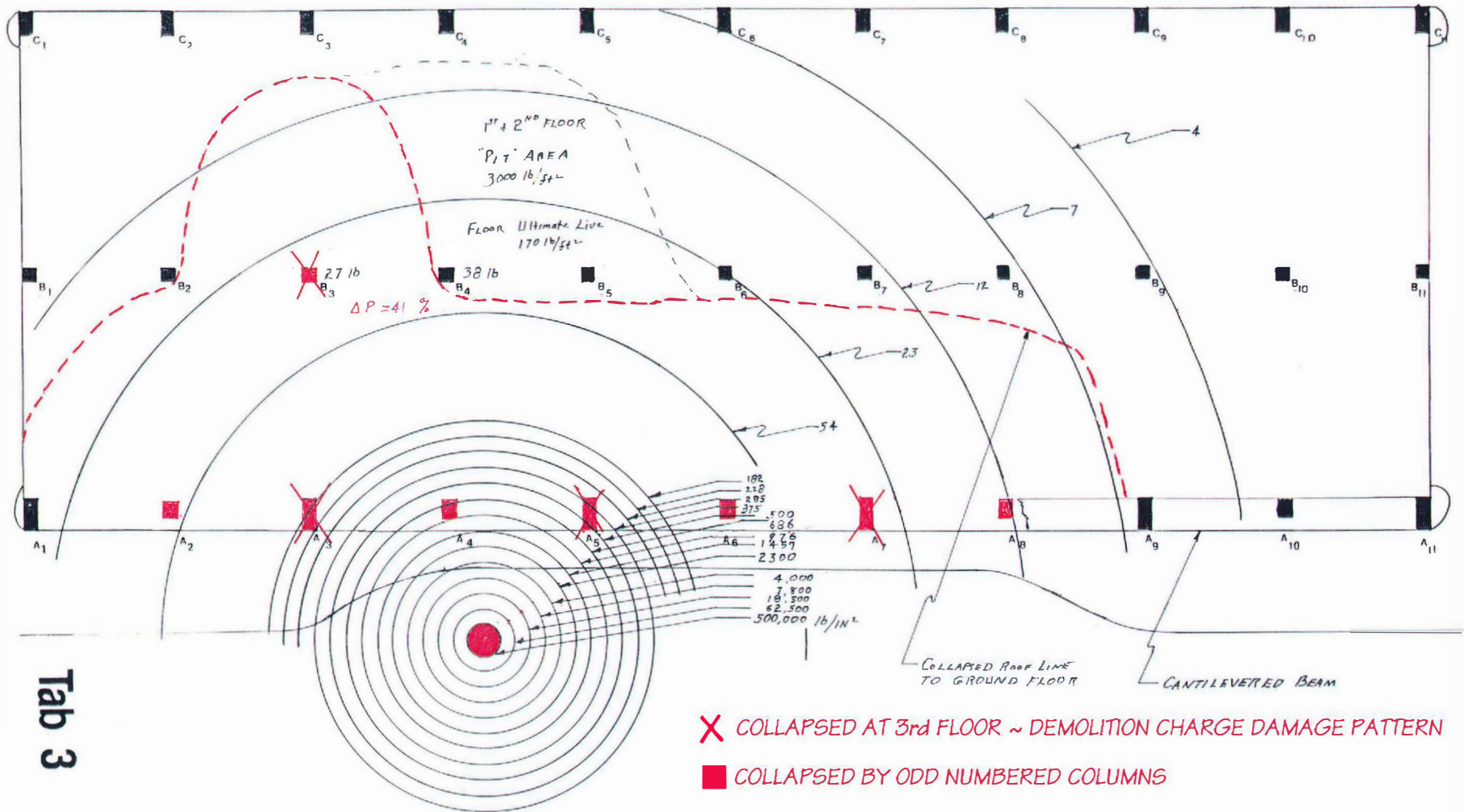
Honors: Distinguished Service Medal, Legion of Merit thrice, Distinguished Graduate - Air War College

Community Affairs:

Chairman, United States Defense Committee
Member of the Board, In Touch Missions International
Member of the Board, Front Line Fellowship
Founding Chairman of the School Board, Engleside Christian School
Washington Representative for the Association of Christian Schools International (1981-1983)
Chairman Fairfax County Republican Party (1982-1986)

Lifelong Professional Challenge: Continuing studies and analyses to anticipate and forecast the future course of world military/political/economic transforming processes.

A P MURRAH BUILDING



Tab 3



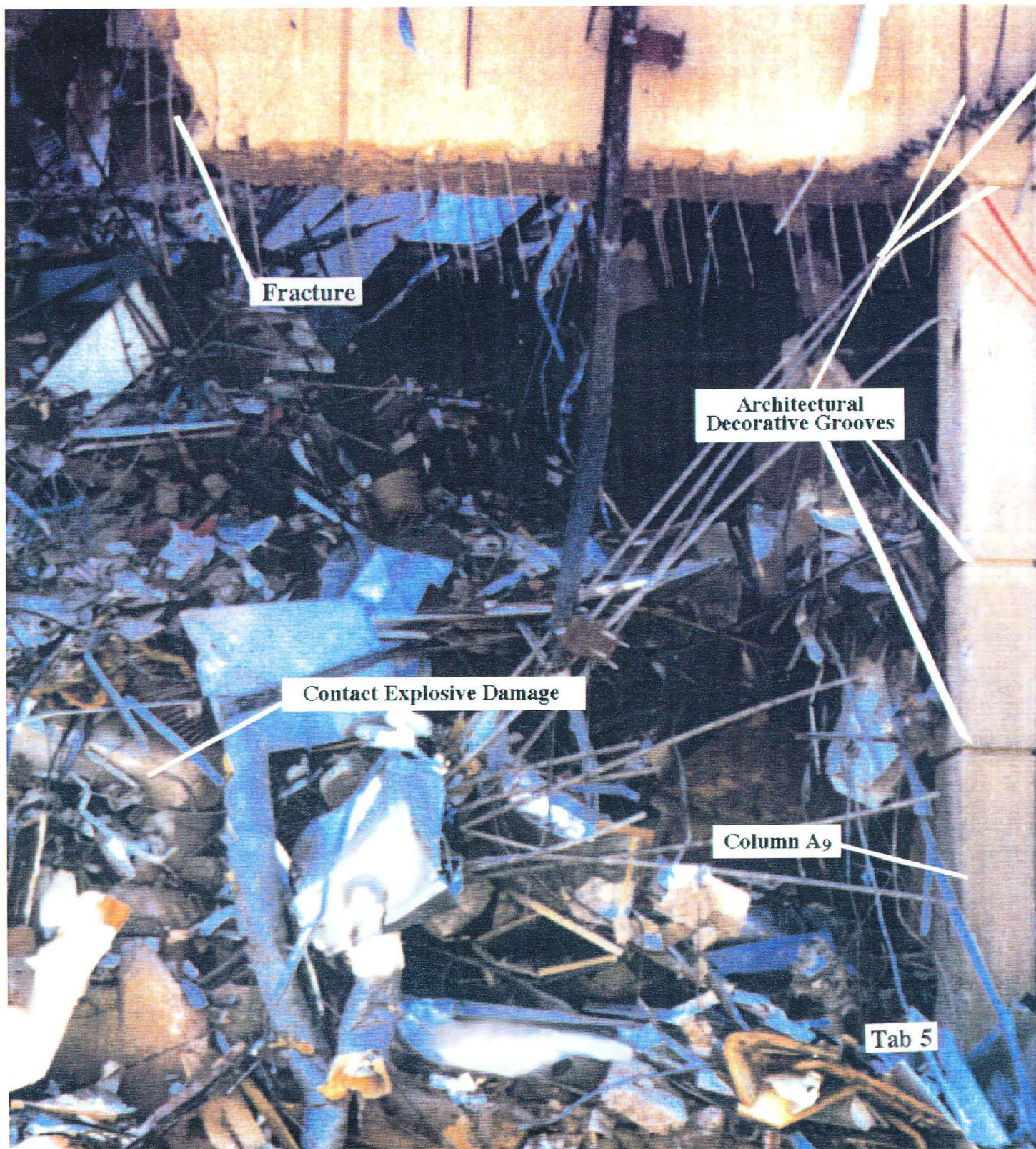
Fracture at
Column A1 & Header

Sheet Rock Surface

3rd Floor

The Pit

Tab 4





Column B₃
Bare Rods

Column A₅
Juncture Covered

Column A₃
With Decorative Ring
and Bare Rods

Header with Bare Rods

Tab 6



Crater

Header at Column A₅ Juncture

Tab 7



Rodger A. Raubach Ph.D
P.O.Box 3042 , Casper , WY. 82602-3042
Phone: (307)-235-5266 ; FAX: (307)-237-2500

18 July 1995

Brigadier Gen. Benton K. Partin
8908 Captains Row
Alexandria , VA. 22308

Dear Gen. Partin;

Earlier today I received a copy of your report on the bombing in Oklahoma City, entitled "Bomb Damage Analysis of the Alfred P. Murrah Federal Building, Oklahoma City". This report was dated July 13, 1995.

I read this report carefully and examined the exhibits appended to the text. Your observations and photographic analysis are meticulous in the extreme , and you are to be commended for your insights regarding the effects of blast vs. distance from the detonation.

The major points of the report which I believe need to be emphasized are: (1) the fact that rebar reinforcing rods were broken but appear to be embedded in concrete; (2) very little concrete appears to have been crushed by the blast. These observations alone are at extreme variance with the hypothesis of a single large truck bomb containing ANFO. For the large (4800 lb.) ammonium nitrate bomb to have caused the damage, there would be huge amounts of sand generated from the crushed concrete around the columns wherein the rebar was fractured.

I took the liberty of checking with the leading concrete supplier in my area in order to confirm the compressive yield figure that you used, that being 3500 psi. What I was told about concrete was very interesting. A 3500 psi figure is extremely low for structural concrete. A properly mixed and cured structure of the type dealt with in your report would probably have a yield strength of 5600 psi.


In conclusion, General, I find myself in awe of the technical achievement that your report represents. I can find no scientific flaws in either your observations or your conclusions. I am, therefore, in full agreement with the conclusion of strategically placed small explosive charges being responsible for the destruction of the building.

We can only hope and pray that a few good men and women in our Congress will heed your report and take action that results in the punishment of the real guilty parties responsible for this heinous crime against the American people, and that these same few good people are able to stem the abrogation of any more of our Constitutional rights.

Please keep up the good work that you are doing for your countrymen. It is an honor to be able to correspond with you on this matter and perhaps to be of some small service to our country, the Constitutional Republic, to which many of us have sworn to defend to the best of our abilities.

If I may be of any further assistance, please contact me at any time. Looking forward to your response, I remain

Very Truly Yours,


Rodger A. Raubach Ph.D.

Tab 9

To: General Partin

From: Sam Gronning

Re: Explosion at Oklahoma City

Dear General,

I've read your report and it follows what I believe completely.

I have been a blaster for over thirty years and there is no doubt in my mind that ANFO could not have been by itself the medium for that powerful an explosion. Enhanced in one way or another, maybe, but not by itself. And even enhanced at that distance, I would doubt that an external explosion could have created that extensive damage at the reported weight of the bomb.

I don't know what is going on here, but someone is trying to put the blame for this disaster somewhere other than where it really lies. I don't know where that is, nor do I understand what the motivation for that deception could be. What I do know is what I see, and what I see is not the truth.

Maybe incompetence lies at the bottom of all the hype. Whatever it is, I hope that you get to the bottom of it all.

Sincerely

Sam Gronning

338 W.14th st.

Casper, Wyoming 82601

307 234-7050

DEADLY FAILURES IN INTELLIGENCE ANALYSIS AND DEFENSE **UN**PREPAREDNESS

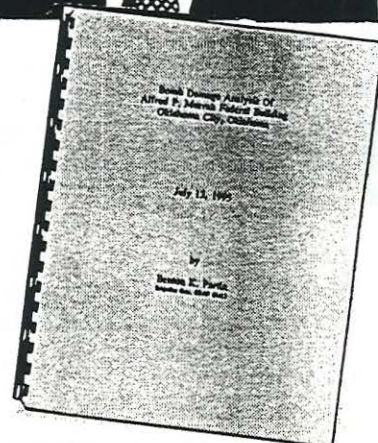
By Benton K. Partin, Brigadier Gen. USAF (Ret)

.... Many of our subscribers will instantly recognize the name Benton Partin, Brig. Gen. USAF (Ret.). General Partin has contributed many months of his time and effort toward exposing the true causes of the deaths of 168 citizens in the Oklahoma City Murrah Federal Building. He has spoken on several hundred radio programs, made personal appearances at the Oklahoma State Legislature and in dozens of other forums, explaining how the so-called "truck bomb" could not POSSIBLY have created the destruction that occurred to the Murrah Federal Building.

.... General Partin's credentials in the military are the best conceivable for a military analysis of the destruction of the Murrah Federal Building. He spent 25 years in research design, development, test and management of weapons development. He was the first chairman of the OSD Joint Service Air Munitions Requirements and Development Committee, a high level group responsible for our military's weapons.

.... General Partin has published a research paper, which has been submitted to nearly every member of Congress and the members of the Oklahoma Legislature. This report (shown opposite) has been purchased by hundreds of our subscribers. It includes crystal clear, full color photographs of the damage site **PRIOR TO DEMOLITION**, with explanations by General Partin. If you are seriously interested in learning about the government's complicity in the bombing of the Murrah Federal Building, you should review the Partin Report. It is available through your Book Club at 1-800-543-0486.

.... Below General Partin offers our subscribers an exclusive analysis of the Communist International and its programs adopted at its 6th Congress in Moscow in September of 1928. His analysis is deeply disturbing, and should be of great concern to all Americans. ... Ed.



PROGRAM OF --

THE COMMUNIST INTERNATIONAL!

.... In the development of major weapon systems, it usually takes 10 years from the definition of a requirement until the weapon system becomes an effective and integral part of our force structure. If the system remains in the force structure for a nominal 20 to 30 years, then in what operational scenarios will the weapon system be expected to perform 10 to 40 years in the future? It is those potential operational scenarios that determine specifics in the definition of the requirement.

.... What kind of crystal ball is used to foresee 30 to 40 year ahead in such detail? In my 31 years in the Air Force, (25 spent in Research and Development from the laboratory to the Office of the Secretary of Defense), I have seen only two reasonable bases for such extrapolation. One is the evolution of technology whose extrapolation is a sophisticated science itself, and the other is the **Program of the Communist International Adopted At Its 6th Congress** in Moscow on September 1, 1928.

.... It is the almost universal ignorance of the latter basis for extrapolation that makes massive subversion and disinformation almost unrecognizable. In such complex matters, it is often difficult to differentiate between ignorance, incompetence and treason. In the short term, the apparent difference may be only a matter of intent -- but quite often -- predictable intent.

WORLD CONGRESS --

OF COMMUNIST/SOCIALISTS PARTY!

.... During the late 1940's, 50's and early 60's, I thought I knew everything there was to know about the **brew** of Communism/Bolshevism/Socialism/Globalism/Illuminism/Nazism/Fascism/Marxism/Leninism/Maoism/ Babeuvism/Jacobinism/ Occultism/Central Banking/Humanism/H.G. Well's "Z" Society/ New World Order/etc./etc.

.... However, it was only after I studied the program documents of the Executive Committee Communist International (ECCI) that I would have a basis for a reliable prediction of future courses of world events that were being orchestrated by that **brew** as a program for total world conquest with the end objective being World Communism as they define it, or if you prefer, the euphemisms Globalism, World Order, New World Order, etc.



.... At no point in its 250 year evolution has the program for global communist conquest been as completely structured, defined, adopted and published as in the program documents of the Third International's Sixth Party Congress held in Moscow in 1928. It was a world congress for the Communist /Socialist Party leadership from all over the world. There were 532 delegates of which 25 were from the U.S.A. This World Congress was a precursor to the United Nations.

.... They called it a "Program." Is it a conspiracy? Yes -- in part. But it is an open conspiracy. The 1928 Program declares: - "communist disdain to conceal their views and aims. They openly declare that their aims can be attained only by the forcible overthrow of all the existing social conditions."

.... If we recognize a threat as only a "conspiracy," how can we develop a program to counter that "conspiracy" unless we can reliably and predictably define the program of that conspiracy? I have developed programs for new weapons and programs for weapons to counter other new weapons, but I would be at a total loss to conceptualize a program to counter a conspiracy, unless I could first define its program, track its progress and refine its predictability.

.... We deny ourselves the potential of orchestrating effective counteraction when we define a threat only as a "conspiracy" without understanding, in a predictable way, its program toward its ultimate objective.

... The Program of the **THIRD INTERNATIONAL** was orchestrated from 1919 to 1943 by an almost Pentagon size organization, staffed with people from all over the world, headquartered in Moscow and called the COMINTERN. After World War II the name was changed to the COMINFORM. In the mid 1950s, the name was changed again to the **International Department**, but is now called the **GORBACHEV FOUNDATION**, with new branches in several target countries.



... It is that program and the extrapolation of technology that offers the only sound basis I have ever found for the long term extrapolation of military hardware requirements. [Note: The Gorbachev Foundation is building a new "1 Kilometer square" office complex in Moscow.]

... The program states, for example, that in World Communism "Instead of destroying countless lives and untold wealth in class wars and national wars, mankind will use all its energies in the struggle with the forces of nature. ..." This is the program basis for the present massive, global environmental front.

... The program also states that "once having abolished private property in the means of production and made them public property, world communism will replace the spontaneous forces of the world market, the planless sway of competition, the blind operation of social production, by the socially planned regulation of production. ..."

... For this we now have the World Trade Organization and the present consolidations toward global cartels for the production and distribution of goods and services. The Diamond Cartel leadership has funded much of the Communist led ANC takeover in South Africa (by now deceased KGB Colonel "Joe Slovo").

THE SINO-SOVIET CONFLICT!

... In 1957, as the assistant for Advance Weapons Concepts, I started the Focused Energy Weapons Program. IN 1958, I participated in a series of budget briefings in the Pentagon, in which I was defending the Focused Energy Weapons Program budget. In that series of briefings, I was shocked to see certain force structure assumptions based on the hypothesis that there was a genuine and irreversible Sino-Soviet conflict.



... What shocked me was the long term national risk. Two hypotheses could readily be made. One, the Sino-Soviet split was genuine and irreversible, or two, the Sino-Soviet split was either a hoax or was reversible. Force requirements would vary greatly between these two hypotheses, depending on the threat. At that time, I considered three levels of threat:

Case I: **Dual Threat** - - Communist China and Russia would team up if either were directly involved with the U.S. and its allies in a major conflict.

Case II: **Either Threat** - - Either China or the Soviet Union would remain neutral if the other was involved in a major conflict with the U.S. and its allies.

Case III: **Either Allied Threat** - - Either Soviet or Chinese forces would join the U.S. and its allies in a major conflict with the other.

THE THREAT OF - -

A TWO FRONT WWII!!!

... The risks involved here can easily be seen. If the assumption is made that the Sino-Soviet split is real and irreversible, and years ahead there is a confrontation by a dual threat, then the U.S. would be placed at extreme, if not fatal, risk. It would be like passing at the crest of a hill on a busy single lane highway. Much would be placed at risk for little possible gain.

... Neither the legitimacy of the Sino-Soviet split nor its irreversibility could be assured with sufficient confidence to not consider it a potential hoax. We are now those years ahead and we are confronted by a Case I Dual Threat. The naive liberal and left solution is to surrender by "convergence" into their global scheme.

THREATS OF CONFLICT MADE



International Herald Tribune 10-3-1960

... I continued collecting information on the Sino-Soviet split and while attending the Air War College in 1966-67, I had the opportunity to review the 1928 Program of the Communist International. I concluded that the Sino-Soviet conflict, as a hoax, was one of the highest payoff strategies of the entire communist world movement in its then 200 plus year history. I then wrote a thoroughly documented 155 page report on the Sino-Soviet split hoax entitled: **Sino-Soviet Conflict Competition and Cooperation: Risks in Force Structure Planning**.

... In that report, I listed 50 advantages to the implementation of the 1928 program if the West could be convinced of the legitimacy and irreversibility of the Sino-Soviet split. The first ten of those advantages to the World Communist Program, (written 29 years ago), were as follows:

1. It justified a major reduction in Free World forces and, at the same time, justifies a high level of defense preparedness for both Russia and China. [It resulted in an inversion of the balance of power in the world.]

2. It induced a complacent, do nothing, if not indifferent attitude toward the critical military balance of power. [It became politically incorrect to even question its legitimacy.]

(cont. on next page)

3. It justified a more aggressive Soviet program in "competition" with China in Asia, Africa and South America. [They were both involved in the support of all communist Wars of National Liberation.]

4. The "peaceful coexistence" role of the U.S.S.R. and the supposedly more aggressive role of China complement each other in reducing the Free World. [One approach worked better in Syria and the other approach worked better in Tibet.]

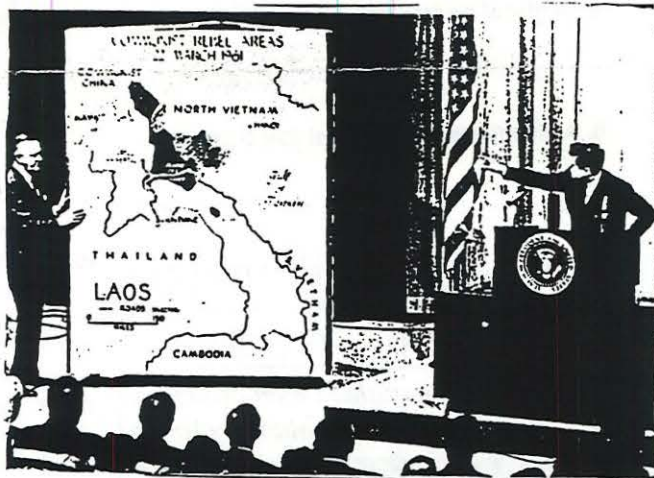
5. The Sino-Soviet split helped get the U.S. committed in a big way, but not too big for Russia and China, in a land war in Southeast Asia. [Supported by both Russia and China.]

6. The alleged breakup of the world communist monolith into supposedly "loose and pluralistic grouping (s) of communist states," justifies for many the disintegration of the Free World Alliances buildup over many years, for containing communism. "Polycentrism in the East breeds polycentrism in the West." [29 years later, we have a new rendition in Perestroika.]

7. The split justifies a repolarization of the world struggle along specious and phoney lines, i.e., "The basic conflict is not between the U.S. and Russia, nor ever between the U.S. and China. It is between Soviet Communism and Chinese Communism." [Disinformation]

8. The Sino-Soviet split has been used to justify a weakening of NATO, i.e., "may have outlived its usefulness."

9. The Sino-Soviet split, along with the war in Vietnam, was used to help force the isolation of America on the international scene.



President Kennedy gives a briefing on the need for intervention to face a communist insurgency in Vietnam in 1961

10. The Sino-Soviet split and the resulting reapproachment between East and West European countries has contributed to the rise of nationalism in East Europe and a weakening of the West European coalition. [Orchestrated for "convergence."]

REPORT CONCLUSIONS --

29 YEARS AGO!

.... The conclusions of the report written 29 years ago are as follows:

1. For military force structure planning purposes, the Sino-Soviet conflict must be considered a hoax so as to reduce, if not minimize, long-term national risk.

2. There is sufficient documented evidence available to severely challenge the popularly held view that the Sino-Soviet split is genuine, deep and irreversible.

3. From all the arguments and evidence supporting the hypothesis of a genuine split, there are at least as good arguments, and perhaps more consistently reliable information which supports the idea that the popular view of the Sino-Soviet split is specious, misleading and a masterful deception.



4. The Sino-Soviet split payoff to the communist world, even as a highly advertised genuine conflict, is so great that both Russia and China would be foolish not to exacerbate it for the eyes and ears of the Free World.

5. The Sino-Soviet split, as a hoax, is one of the highest payoff operations of the entire world communist movement since its very beginning.

6. The Sino-Soviet split payoff to the Communist World, as a hoax, is sufficiently great to make the deception a major foundation, if not cornerstone, of Sino-Soviet foreign policy. Almost no expense or inconvenience would be too great to assure the continued Western faith that the split is genuine.

7. In the Free World, the Sino-Soviet split thesis offers something to everyone. Almost everyone wishes to believe it. Disbelief creates too many problems in required actions. Therefore, there is a natural propensity to reject any idea that the Sino-Soviet split is not genuine. Moreover, with all the affirming publicity, much stemming from within the Sino-Soviet Camp, we are well conditioned to believe it in much the same way Pavlov's dogs responded to the bells.

8. The 1928 Program of The Communist International; tempered by personality factors, historical necessity, and opportunism, provides a consistent, coherent, reasonably predictable model of understanding of the world socialist movement and Sino-Soviet relations. The popularly held model of Sino-Soviet conflict understanding is inconsistent, incoherent, and unreliable as a basis for prediction and expectation.

9. Part of the foundation on which the Sino-Soviet split thesis is built, is in fact specified as part of the 1928 COMINTERN Program.

10. The Future of a free and independent United States and Free World depends to a considerable extent on an accurate understanding of the alleged Sino-Soviet conflict and taking appropriate courses of action.

11. Assuming as true the model of understanding of the Sino-Soviet split and the world revolutionary processes, hypothesized, developed, and tested in this paper, we should expect the following: [Predictions made in 1967 - 29 years ago.]

a. Secret Sino-Soviet cooperation in the democratic penetration, subversion, economic warfare and -- in the more backward countries -- externally supported flagrant aggression and orchestration of wars of national liberation. [Proven by time.]

b. Continued efforts of communist forces to expand the war in Southeast Asia to increase U.S. commitments. [Proven by time.]

c. That India will either move peacefully and reliably into the Marxist camp or the liberation struggle will soon move into the violent phase. [Moved toward the Marxist Camp.]

d. The Marxist world will soon exercise hegemony over the Moslem Middle East. [Mostly Done.]

e. A gradual increase in the number of wars of national liberation in the more advanced 'semi-colonial' countries. [Done.]

f. A continued, but reduced, public exacerbation of the Sino-Soviet split thesis by both Russia and China until they are ready for a major showdown with the U.S. [Proven by time.]

g. An increased level of urban guerrilla warfare and arson in the U.S. in concert with increased violence in South Vietnam and increased pressure against mobilization. [Watts, DC, TET, Tricontinental Congress.]

h. A globally coordinated attempt by the Marxist world to oversaturate U.S. commitments, to force a U.S. back down in Southeast Asia, with tactical nuclear weapons if necessary. [Dunkirk type evacuation.]

i. The above sequence fulfillment would be regarded as the completion of another step in the struggle for world domination that was basically programmed in the 1920's.

12. The strategy of deterrence and massive retaliation tended to ignore the gradual revolutionary processes of Wars of National Liberation, as they were originally planned and are still being conducted (with some refinements).

13. The strategy of flexible response reacts to wars of national liberation after they have reached the violent phase, and after they have undergone many years of pre-violent preparation. A more applicable strategy is needed.

14. Although there are many causes on which the pre-violent phase of Wars of National Liberation feed, and if causes do not exist, they are created. However, under the 1928 Program hypothesis, it is orthodox, doctrinary and practical that the liberation forces require and are provided, external assistance from the Marxist world.

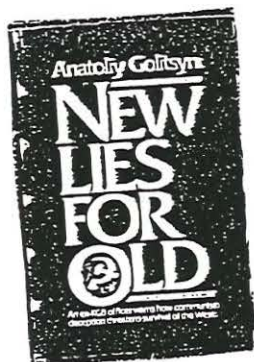


Red Chinese Guards at 1966 anti-U.S. rally.

15. The World Socialist Movement has progressed to the point where the advantages accruing from the Sino-Soviet split thesis will start to diminish. Under the 1928 Program hypothesis, world socialist solidarity will then become more popularly acclaimed. [Proven by time - the chiefs of state have already hugged and kissed, in public.]

SINO-SOVIET SPLIT - -

A DISINFORMATION PROGRAM!



... When KGB defector Anatoly Golitsyn published his book *New Lies For Old* in 1984, I could ascribe considerable confidence to it because the chapter on the Sino-Soviet split was in total agreement with my research and analysis of the same subject at the Air War College 17 years before. Golitsyn called the Sino-Soviet split a **DISINFORMATION PROGRAM**; I call it a **HOAX**.

... We both identified it as a high payoff Sino-Soviet strategy. What is so amazing is that to my knowledge our own senior intelligence people have never deduced the Sino-Soviet split as a disinformation program or a hoax, at least not for publication. With the new intelligence monopoly being set up under foreign born leadership, it will become even more politically incorrect to call it what it really is. He who controls the National Intelligence Estimate (NIE) controls future capabilities.

... In Golitsyn's 1995 book *The Perestroika Deception*, he concludes that the Sino-Soviet split is the main Soviet disinformation program on which all other disinformation programs depend.

... Complex as it may seem, the Sino-Soviet split dialectic is rather simple and straightforward when compared to the dialectics involved in the U.S. "winning the Cold War" the "disappearance of the Soviet threat," the "disintegration of the Soviet empire," and the "democratization of the former Soviet Union" (now ruled by former communists, ex-communists, non-communists and communists).

... If at the end of World War II, all of the Chiefs of State in Eastern and Western Europe were former Nazis, ex-Nazis, Nazis and non-Nazis, would anyone believe we had won World War II??

... The Sino Soviet split has now played a major role in the relative ascendancy of communist world power and a diminution of the free world and its alliances. The communist world goal was to have a World Commonwealth of Independent Socialist States by the years 2000. The "former Soviet Union" now calls itself the Commonwealth of Independent States or CIS. The United Nations is a CIS. A commonwealth is a loose federation. What follows the commonwealth has been in preparation for decades.

1. Global cartels for the production and distribution of goods and services.

2. A world socialist division of labor. [Shuffle world production for global "interdependence."]

3. A global security system. [We now have extensive official cooperation among policing and intelligence services between the free world and communist/former communist world.]

4. A global military system under the UN. [In the UN Charter]

5. A global judiciary system.

6. A global environmental control with population reduction.

7. A global banking system. [IMF and World Bank]

8. A global this and a global that Globalism.



International Herald Tribune - - 9-6-91

... Then, we are to have a "withering away of the state." This does not mean doing away with government, but the establishment of a top down global system of regional government, i.e. a world without nations... a world without nationalities... a world without

boundaries. This is by their definition **COMMUNISM**. It is also the New World Order and Globalism.

... I would encourage every reader to do everything possible, with sacrificial time and resources, to work as they have never worked before to assure that our next elected president and our next elected Congress supports our Constitution and know what is going on in this world beyond term limits, abortions and a balanced budget.

Tapes Depict Proposal to Thwart Bomb Used in Trade Center Blast

By RALPH BLUMENTHAL

Special to The New York Times

NEW YORK, Oct. 27 — Law-enforcement officials were told that terrorists were building a bomb that was eventually used to blow up the World Trade Center, and planned to thwart them by secretly substituting harmless powder for the explosives, an informer said after the blast.

The informer was to have helped the plotters build the bomb and supply the fake powder, but the plan was called off by an F.B.I. supervisor who had other ideas about how the informer, Emad A. Salem, should be used, the informer said.

The account, which is given in the transcript of hundreds of hours of tape recordings Mr. Salem secretly made of his talks with law-enforcement agents, portrays the authorities as in a far better position than previously known to foil the Feb. 26 bombing of New York City's tallest towers. The explosion left six people dead, more than 1,000 injured and damages in excess of half a billion dollars.

Mr. Salem, a 43-year-old former Egyptian army officer, was used by the Government to penetrate a circle of Muslim extremists now charged in two bombing cases: the World Trade Center attack and a foiled plot to destroy the United Nations, the Hudson River tunnels and other New York City landmarks. He is the crucial witness in the second bombing case, but his work for the Government was erratic, and for months before the trade center blast, he was feuding with the F.B.I.

Supervisor 'Messed It Up'

After the bombing, he resumed his undercover work. In an undated transcript of a conversation from that period, Mr. Salem recounts a talk he had had earlier with an agent about an unnamed F.B.I. supervisor who, he said, "came and messed it up."

"He requested to meet me in the hotel," Mr. Salem says of the supervisor. "He requested to make me to testify and if he didn't push for that, we'll be going building the bomb with a phony powder and grabbing the people who was involved in it. But since you,

Continued on Page A12, Column 5

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we didn't do that."

The transcript quotes Mr. Salem as saying that he wanted to complain to F.B.I. headquarters in Washington about the bureau's failure to stop the bombing, but was dissuaded by an agent identified as John Anticev.

"He said, I don't think that the New York people would like the things out of the New York office to go to Washington, D.C.," Mr. Salem said Mr. Anticev had told him.

Another agent, identified as Nancy Floyd, does not dispute Mr. Salem's account, but rather, appears to agree with it, saying of the New York people: "Well, of course not, because they don't want to get their butts chewed."

Mary Jo White, who, as the United States Attorney for the Southern District of New York is prosecuting defendants in two related bombing cases, declined today to comment on the Salem allegations or any other aspect of the cases. An investigator close to the case who refused to be identified further said, "We wish he would have saved the world," but called Mr. Salem's claims "figments of his imagination."

The transcripts, which are stamped "draft" and compiled from 70 tapes recorded secretly during the last two years by Mr. Salem, were turned over to defense lawyers in the second bombing case by the Government on Tuesday under a judge's order barring lawyers from disseminating them. A large portion of the material was made available to The New York Times.

In a letter to Federal Judge Michael B. Mukasey, Andrew C. McCarthy, an assistant United States attorney, said that he had learned of the tapes while debriefing Mr. Salem and that the informer had then voluntarily turned them over. Other Salem tapes and transcripts were being withheld pending Government review, of "security and other issues," Mr. McCarthy said.

Kunstler Accuses U.S.

William M. Kunstler, a defense lawyer in the case, accused the Government this week of improper delay in handing over all the material. The transcripts he had seen, he said, "were filled with all sorts of Government misconduct." But citing the judge's order, he said he could not provide any details.

Mr. Salem's evident anguish at not being able to thwart the trade center blast is a recurrent theme in the transcripts. In one of the first numbered tapes, Mr. Salem is quoted as telling agent Floyd: "Since the bomb went off I feel terrible. I feel bad. I feel here is people who don't listen."

Ms. Floyd seems to commiserate, saying, "hey, I mean it wasn't like you didn't try and I didn't try."

In an apparent reference to Mr. Salem's complaints about the supervisor, Agent Floyd adds, "You can't force people to do the right thing."

The investigator involved in the case who would not be quoted by name said that Mr. Salem may have been led to believe by the agents that they were blameless for any mistakes. It was a classic agent's tactic, he said, to "blame the boss for all that's bad and take credit for all the good things."

'You Saw This Bomb'

In another point in the transcripts, Mr. Salem recounts a conversation he said he had with Mr. Anticev, saying, "I said, 'Guys, now you saw this bomb went off and you both know that we could avoid that.'" At another point Mr. Salem says, "You get paid, guys, to prevent problems like this from happening."

Mr. Salem talks of the plan to substitute harmless powder for explosives in the trade center bombing during another conversation with agent Floyd. In that conversation, he recalls a previous discussion with Mr. Anticev.

"Do you deny," Mr. Salem says he told the other agent, "your supervisor is the main reason of bombing the World Trade Center?" Mr. Salem said Mr. Anticev did not deny it. "We was handling the case perfectly well until the supervisor came and messed it up, upside down."

Studied for Signs of Illegality

The transcripts are being closely studied by lawyers looking for signs that Mr. Salem and the law enforcement officials, in their zeal to gather evidence, may have crossed the legal line into entrapment, a charge that defense counsel have already raised.

But the transcripts show that the officials were concerned that by associating with bombing defendants awaiting trial in the Metropolitan Correctional Center, Mr. Salem might have been accused of spying on the defense.

Continued from OTHER SIDE

THE WALL STREET JOURNAL FRIDAY, SEPTEMBER 22, 1995 A11

convicted in the World Trade Center blast, consulted with the sheik in Egypt about a dispute with a New York-area Muslim. Sheik Omar gave his opinion, then added: "Tell him that this is an order from the sheik."

In 1991, Mr. Salem, the FBI informant, drove Sheik Omar to Detroit for a speech. On the long ride, Mr. Salem talked about his 18 years in the Egyptian army. The sheik told him that he had wasted his life for the "infidel" regime, Mr. Salem testified, and that he should repent by turning "his rifle to the chest of [Egyptian President Hosni] Mubarak." This alleged statement became the basis of the charge that Sheik Omar solicited the murder of Mr. Mubarak.

Flurry of Phone Calls

As part of the alleged plan to wage war on the U.S., Sheik Omar's "jihad army" also bombed the Trade Center, prosecutors charged, though none of the "soldiers" in this case actually perpetrated that crime, they said. Prosecutors showed the jury phone records of calls

made before the bombing between some of the conspiracy defendants and those men convicted of the Manhattan blast.

In the summer and fall of 1992, several calls were made from the sheik's Jersey City apartment to a number in Pakistan, prosecutors showed. The same Pakistan phone number was found written inside bomb manuals seized from a man named Ahmed Ajaj upon his arrival in the U.S. from Pakistan on Sept. 1, 1992. Mr. Ajaj, who has been convicted of the Trade Center bombing, flew in with Ramzi Yousef, a Palestinian. In February of this year, after a two-year manhunt, the U.S. arrested Mr. Yousef in Pakistan, charging him with masterminding the Trade Center bombing.

Phone records also showed several conversations before the bombing between Sheik Omar's apartment and the nearby apartment of Mohammed Salameh, who was later convicted in the Trade Center case. And records of several calls from the sheik's phone to that of Mr. Abouhalina, another of the four men convicted, also

were presented.

Kitchen Talk

The FBI quickly cracked the Trade Center case with a stroke of bizarre luck, when Mr. Salameh went back to collect his deposit on the rental truck used to transport the bomb. Though investigators knew the bombing suspects were followers of Sheik Omar and that the sheik had been preaching jihad in the U.S. since his arrival in 1990, they had nothing on him.

The New York Times

The Other Trial

As Sheik Omar Case Nears End, Neither Side Looks Like a Winner

Prosecution's Main Witness Is a Perjurer; Defense Sees a Plot on Plotters

Telling Tales of Urban Terror

By PETER WALDMAN
And FRANCES A. McMORRIS
Staff Reporters of THE WALL STREET JOURNAL

NEW YORK — As his own trial began winding down in a Manhattan federal courtroom last week, Sheik Omar Abdel Rahman marveled at that other epic trial taking place across the continent.

The blind Egyptian cleric, accused by the U.S. government of leading an Islamic "war of urban terrorism against the United States," told his lawyers he couldn't understand how a single murder case could rivet Americans' attention for so long. But bless O.J. Simpson, the sheik added, according to Abdeen Jabara, one of his defense attorneys. "He took the spotlight off us," Sheik Omar said.

In a trial full of surprises, perhaps the most surprising thing about one of the biggest terrorism-conspiracy cases in U.S. history is how few people seem to care. Eclipsed by the Oklahoma City bombing and the Simpson trial, the sedition case against Sheik Omar and nine co-defendants is quietly set to begin jury deliberations this weekend, after eight months of testimony by some 210 witnesses.

What the trial has lacked in sex appeal, it has more than made up in grit. U.S. prosecutors have laid out a scenario of a circle of alleged Muslim terrorists whose wickedness spanned four years, four continents and dozens of crimes. The Brooklyn murder of extremist Rabbi Meir Kahane in 1990 and the February 1993 bombing of Manhattan's World Trade Center — which killed six people, injured more than 1,000 and caused billions of dollars in damages — were just part of the plan, the U.S. contended. (In March 1994, four men, who are not on trial in this case, were convicted of the bombing and sentenced to multiple life sentences.)

Coming next, prosecutors argued, was "a battle plan" of assassinations and bombings in New York "that was so horrible, so monstrous, so vicious that, had it succeeded, the lives of every person in this city and in this nation would be changed forever."

One thing is clear: As closing arguments ended this week, neither side — the U.S. government nor its supposed mortal enemies on trial — looks good in this case.

For their part, prosecutors, relying on evidence from secretly recorded audio and video tapes, appear to have caught at least several of the defendants red-handed in some sort of bombing plot. But the evidence that their alleged "godfather," Sheik Omar, even knew about that plan is scant. Nevertheless, because of the way federal conspiracy laws work, the jury could still convict the 57-year-old sheik of leading the supposed *jihad* , or Islamic holy war, regardless of what he knew about the alleged conspiracy's details.



Omar Abdel Rahman

Urban Warfare

To do that, the panel of seven women and five men will have to believe the prosecution's claim that several seemingly disparate incidents between 1989 and 1993 formed the planned "war of urban terrorism" against America. They will also have to conclude that the government's main witness — a confessed perjurer and double agent — is telling the truth. And then there is the alleged mishandling of the case by agents of the Federal Bureau of Investigation.

The jury has a lot to chew on. Defense lawyers conceded their clients believe in holy war — but not against America. To show that one of their main targets was Afghanistan, defense lawyers produced documents labeled "Top Secret" that confirmed for the first time that the U.S. Army trained Muslims in the U.S. to fight the Soviets in Afghanistan. In particular, in 1989, Sgt. Ali A. Mohammed of the Army Special Forces based in Ft. Bragg, N.C., taught several courses to local Muslims in Jersey City, N.J., court papers show.

Roger Stavis, attorney for El Sayyid Nosair, a defendant who took the U.S. training and is accused in federal court here of killing Rabbi Kahane to further the jihad conspiracy, told the jury the only jihad group his client belonged to was "team America." (Mr. Nosair was acquitted in state court of Rabbi Kahane's murder, but sentenced to seven years in prison on related weapons charges.)

Million-Dollar Informant

"I submit to you that the U.S. Army did not send Sgt. Ali Mohammed up here to train Mr. Nosair to wage a war of urban terrorism against the U.S.," Mr. Stavis told the jury.

The trial showed that, six months before the Manhattan blast, the FBI terminated its key informant in the Muslim group, after he failed several lie-detector tests. Then, following the World Trade Center explosion, the FBI rehired the same Cairo-born informant, Emad Salem, for a

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Continued From First Page

fee of more than \$1 million. He became the linchpin of the government's case — gathering most of the evidence against the conspiracy defendants, or, in the view of their defense lawyers, illegally entrapping them in a scheme of the 45-year-old Mr. Salem's own design.

On the witness stand, Mr. Salem was a disaster for the prosecution. In eight weeks of testimony, he confessed to having lied under oath in a previous trial and to having served as a double agent for the U.S. and Egyptian governments. He admitted violating FBI rules against unauthorized taping and to secretly recording nearly all of his conversations. In one of the so-called bootleg tapes he recorded and which was entered into evidence, Mr. Salem is heard asking his intelligence handler in Egypt if the Egyptians wanted Sheik Omar "in the cage here or the cage there."

The bootleg tapes give a rare, behind-the-scenes look at how the FBI handled one of its most important informants ever. They also show Mr. Salem had a close relationship with his first FBI handler, agent Nancy Floyd.

They visited each other's homes, went shopping for furniture and discussed Mr. Salem's marital problems, according to court testimony. Jurors learned Ms. Floyd escorted Mr. Salem to the Internal Revenue Service to help sort out his taxes. She gave him a watch. He gave her a brass business-card holder with her name engraved on it.

When Ms. Floyd and other FBI agents searched Mr. Salem's apartment for the bootleg tapes, an argument erupted. After concealing the tapes' existence, Mr. Salem had given the FBI permission to retrieve about 20 of them from his bedroom. But when another agent found an additional 35 or so cassettes in Mr. Salem's desk, Ms. Floyd protested, telling the other agents to leave those behind.

The agents called their boss, Ms. Floyd talked about getting a lawyer, she later testified. The tapes were scooped up by the agents and taken to Mr. Salem's hideout. He was furious at the FBI for searching his desk, Ms. Floyd testified. Many of the tapes were given back to Mr. Salem, who didn't produce them for the defense until months later. Several of the defense lawyers have raised the question of evidence tampering.

In testimony, Ms. Floyd said that she and Mr. Salem were just "friends" and denied that they were lovers. But she admitted their relationship is being investigated by the FBI's Office of Professional Responsibility. She said she objected to taking the tapes from Mr. Salem's desk because he had only given permission to retrieve tapes from his bedroom. Bureau spokesman Joseph Valiquette refused to comment on any aspect of the trial.

In January 1992, Mr. Salem taped a call to FBI agent Louis Napoli. After conveying Sheik Omar's whereabouts, Mr. Salem said the sheik was distancing himself from some of his more violent followers. "He's trying to put himself away from this thing," Mr. Salem said. Mr. Napoli replied: "And I'm trying to put him in it."

Battle Plan

After the Trade Center bombing, Mr. Salem gave the FBI an ultimatum: "You want me back? You better pay me," he said, according to trial testimony. "And don't drop me after you've got the information." He was angry about finding his mug shot on an FBI wall as a Trade Center suspect, FBI agent John Anticev testified, and still hurt from his termination as an informant the previous summer.

Disgraced by the Trade Center bombing, the FBI was happy to oblige, defense lawyers contended. From March through June 1993, Mr. Salem helped organize the "battle plan" that the government alleged included plots to bomb the United Nations and FBI buildings in New York, and the Holland and Lincoln tunnels beneath the Hudson River. Working with a charismatic Sudanese man named Siddig Ali, a follower of Sheik Omar, Mr. Salem recruited seven local Muslims to scout targets, plan tactics and obtain chemicals and electrical parts for bombs, the government alleged. The FBI supplied a safehouse in Queens.

By the time federal agents moved in to make arrests on June 23, the FBI had hours of audio and video tapes chronicling nearly every step of the bombing plot — including videos showing several of the alleged conspirators mixing fertilizer and diesel fuel to make a bomb.

In the trial, Mr. Ali, the most avid would-be bomber on the tapes, pleaded guilty to seditious conspiracy and other crimes. Defense lawyers for the seven other men linked to the safehouse argued that Mr. Salem lured their clients with an offer of military training for the war in Bosnia. The bomb plots were all in Mr. Salem's head, they said — his pay back to the FBI for his big fee.

Prosecutors acknowledged Mr. Salem's role in organizing the safehouse activities, but told the jury "he was merely providing an opportunity" to people "ready and willing" to commit crimes.

Distant Leader

Where was the sheik?

The government contended that before the sheik even arrived in the U.S. in July 1990, he commanded the alleged conspiracy from Egypt. After Mr. Nosair's arrest in November 1990 on suspicion of murdering Rabbi Kahane, three tapes of phone conversations with the sheik in Egypt were found. On them, Mr. Nosair reports to the sheik that members of Jersey City's El Salaam Mosque had begun military training (for Afghanistan, defense lawyers claimed at the trial). Mr. Nosair

asks if the sheik has any orders for the "brothers" of the mosque. The sheik told them to stay in touch.

In another taped conversation, Mahmud Abouhalima, one of four men later

OVER

COMMENTARY

DAVID KOPEL

Soon the House of Representatives will vote on an "anti-terrorism" bill. If the current bill becomes law, the American people will suffer a profound loss of liberty, for no real gain in their security.

It is astounding to see the 104th Congress move to expand the power and intrusiveness of the federal government. These are the same Republicans sent to Congress to reduce the federal government's erosion of individual rights. Politicians who think they will win votes by passing a bill with the word "terrorism" in the title will be in for a rude surprise when they learn what's really behind the curtain.

First, the bill authorizes federal law enforcement agents to gather personal "information" — such as reports from credit bureaus, employment records and travel information — without first obtaining a court order, and without even a suspicion that the individual is involved in criminal activity. This provision will turn Uncle Sam into Big Brother.

Second, the bill gives the president the power to label a group a "terrorist organization" and make it a federal felony to support the legal activities of that group. If a president had used this new power to label Nelson Mandela's African National Congress "terrorist" during the time it was engaged in a violent revolutionary war against the apartheid government, it would have been a felony to pay \$5 for a ticket to hear Mr. Mandela give a

Terrifying terror legislation?

speech. It also would have been illegal to send humanitarian aid to the ANC.

Third, illegal wiretaps would be admissible in court, as long as the wiretapping federal official was acting in "good faith." This good faith proviso is a dangerous smoke screen: How do you prove a bureaucrat was acting in bad faith?

Fourth, the bill has become a vehicle for gun control legislation on its own merits. Currently it is illegal to sell someone a firearm if you know it will be used in crime. This bill would apply a five-year mandatory minimum sentence to cases in which the seller allegedly "should" have known that the gun would be used in a crime. This provision would allow anti-gun prosecutors to destroy almost any gun store they chose to target.

Fifth, the bill virtually destroys the right of habeas corpus — the right of persons to ask a federal court to rescue them when they are being held in state prisons in violation of the federal Constitution.

Although the anti-habeas provision is being sold as a measure for speeding up death row executions, it applies to all cases, not just death penalty ones. Recent Supreme Court decisions have already

BENSON DRAWING BY VAC
R. H. H. H.



sharply curtailed habeas petitions, making this provision unnecessary.

Sixth, for the first time in Amer-

ican history, secret evidence — evidence the accused would not even be allowed to see — would be admissible in court. Such evidence

could be used in some deportation cases, even those involving legal resident aliens who, if convicted on the basis of "secret evidence,"

would face deportation or federal prison. Once the principle of secret evidence becomes law, it will be hard to resist its application — particularly in cases involving taxes, drugs or unregistered guns — in which informers are commonly used.

Finally, if the House bill passes, it will be sent to a conference committee to be merged with the Senate bill. The Senate bill contains a number of seriously disturbing and dangerous provisions: expanding the use of the military in domestic law enforcement, funding for "Digital Telephony" to make the entire U.S. phone system wiretap-friendly and to allow government officials to tap a phone line without leaving their offices; defining ordinary property and violent crime as "terrorism"; and giving the Bureau of Alcohol, Tobacco and Firearms an extra hundred million dollars, despite the lack of major reforms to prevent another Ruby Ridge or Waco.

The House Republicans wisely resisted President Clinton's demagogic tactics during the health care debate, recognizing that when the American people learned the facts they would not surrender their rights for a false promise of security. They should take a similar stand on this terrorism bill — and then take their case to the American people.

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Move to Limit Death Row Appeals Is Entangled in Anti-Terrorism Legislation

By Helen Dewar
Washington Post Staff Writer

For years, Republicans tried without success to win Senate passage of legislation restricting multiple appeals by death row inmates.

Last spring, they thought they had found a way: They hitched the proposal to anti-terrorism legislation supported by President Clinton and GOP leaders in response to national outrage over the Oklahoma City bombing. Some Democrats fumed, but the strategy worked. The Senate overwhelmingly approved the bill in early June and sat back to await its speedy approval by the House.

It is still waiting.

The anti-terrorism bill has languished in the House for four months, blocked by an unusual but potent coalition of liberals concerned about the impact of the anti-terrorism proposals on civil liberties and conservatives reluctant to expand the reach and powers of the federal government.

A separate House-approved bill to limit death row appeals has been put aside in the Senate, largely because of fears that it would become a magnet for even more contentious

crime-related issues—such as gun control—that could lead to a filibuster and legislative deadlock.

In a measure of their creativity in trying to find a solution, some Republicans have suggested tacking the appeals proposal onto a temporary debt ceiling extension, as a way of easing passage of both measures. The suggestion surfaced last week in the House and was encouraged yesterday by Senate Majority Leader Robert J. Dole (Kan.) on NBC's "Meet the Press." Clinton endorsed including the appeals proposal as part of the anti-terrorism bill but has not addressed it in connection with the debt ceiling measure.

Until the impasse is broken, the death row appeals issue—a high priority on the crime-control agenda of Republicans in the House as well as the Senate—remains hostage to the often conflicting priorities and practices of the two houses.

The issue is important because of its historical roots and its contemporary legal and political implications.

When the Constitution was drafted, it embraced the ancient English common law providing for writs of "habeas corpus" (loosely translated from the Latin as "you have the body") to protect a person from unlawful imprisonment. After exhausting appeals under state law, prisoners can go into federal court to challenge their conviction as unconstitutional, citing grounds such as denial of right to a fair trial.

Advocates of restrictions contend that writs have been abused by death row inmates to postpone their executions indefinitely and thereby thwart justice. Foes of restrictions say they would undermine a funda-

mental element of due process and invite deadly miscarriages of justice. Politically, the move to curb death row appeals has gained momentum as a way to address the popular clamor for capital punishment.

The separate habeas bills approved by the House and Senate generally limit prisoners to one federal death row petition filed within one year of exhausting state appeals.

Other initiatives, such as line-item veto authority for the president to cut individual spending items from appropriations bills, have gotten

"There is a suspicion about granting the FBI broader powers."

—Laura W. Murphy, director,
ACLU Washington office

caught in similar House-Senate conflicts. But few have reached the proportions of the tangle over the anti-terrorism bill, which would give the government new legal and financial resources to fight terrorism, including new wiretap authority, easier procedures for deportation of suspected alien terrorists and a ban on fund-raising by terrorist groups.

Shortly after Senate action on its version of the legislation, a bipartisan centrist majority on the House Judiciary Committee approved a similar measure, only to run into heavy opposition from the left flank of the Democratic Party and right flank of the GOP as it headed to the floor. Early nose

counts indicated it was substantially short of the votes needed for passage.

Opposition on the political right, especially among newer Republican lawmakers, seemed to intensify as both houses held hearings during the summer on allegations that federal authorities used excessive force in deadly showdowns with Branch Davidians near Waco, Tex., and with the white separatist Randy Weaver at Ruby Ridge, Idaho.

Within both parties, "there is a suspicion about granting the FBI broader powers in light of Waco and Ruby Ridge," said Laura W. Murphy, director of the Washington office of the American Civil Liberties Union. And the sense of urgency faded as the government has moved, without new powers, toward resolution of the Oklahoma City case, she added.

To win final passage of death row appeals legislation, the House must pass the anti-terrorism bill because the House's separate habeas corpus bill would die in the Senate, Senate Judiciary Committee Chairman Orrin G. Hatch (R-Utah) said recently. "Any bill on crime would be filibustered by one side or the other," he contended.

Several Democrats said he was probably right, especially if conservatives tried to expand it to include repeal of the ban on assault weapons that was passed last year while Democrats controlled Congress.

This would present a particularly awkward problem for Dole, front-runner for the GOP presidential nomination. Dole would find it hard to deny the National Rifle Association a vote on the assault weapons issue if a new crime-related vehicle materializes, and "the last thing he needs right now is a shootout over guns" that he would

probably lose, said a Senate Republican aide. But House conservatives are unwilling to swallow what they regard as an unacceptable anti-terrorism bill just to get the Senate out of its political and parliamentary pickles. "If the Senate couples it [the death-row appeals issue] with bad legislation, we shouldn't be forced to take it," freshman Rep. Robert L. Barr Jr. (R-Ga.) said.

In an attempt to break the impasse, Rep. Charles E. Schumer (N.Y.), senior Democrat on the House Judiciary subcommittee on crime, has begun gathering signatures on a petition to force a House vote on the anti-terrorism bill within the next two weeks. But he must get the signatures of 218 members, half the House, which is a tough job in light of the pincer move against it from the left and right.

Several House GOP sources estimated that the anti-terrorism bill is 30 to 40 votes short of passage. But Committee Chairman Henry J. Hyde (R-Ill.) is working behind the scenes to allay members' concerns over the legislation and believes he is making progress, according to an aide. A vote may be possible by the end of the year, the aide said.

Barr remains skeptical. "There are some very serious objections from conservatives . . . not the kind of objections that can be cured by cosmetic changes," he said.

Now, "each side is checked by a small but influential group within their own ranks," said the ACLU's Murphy. "But how long this gets held in check is anyone's guess."